

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Bradley Swing, AICP

**SUBJECT:** Plat, P 7-1-02 Diamond Creek, Pulice Land Surveyors, Inc./David Mann, 15700 SW 28 Avenue/Generally located at SW 28 Street, west of SW 156 Avenue.

**AFFECTED DISTRICT:** District 4

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS DIAMOND CREEK AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE

**REPORT IN BRIEF:** The applicant requests approval of the resolution for the proposed boundary plat to be known as Diamond Creek. The subject site consists of approximately 386,899 square feet (8.88 acres) for the proposed development of 6 detached single family units. A 90-foot FPL easement has been dedicated along the eastern limit of the plat.

The plat provides for one 60-foot access opening located at SW 28 Street at the eastern limit of the plat.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** At the December 11, 2002, Planning and Zoning Board meeting, Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve subject to the planning report (Motion carried 4-0, Mr. Bob Waitkus was absent).

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** Staff finds the subject application complete and suitable for transmittal to the Town Council for further consideration. In addition the following conditions must be met prior to final approval:

1. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provision of an executed recreational impact fee agreement.
3. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.

**Attachment(s):** Plat, Resolution, Future Land Use Map, Subject Site, Zoning Map and Aerial Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT KNOWN AS DIAMOND CREEK AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed boundary plat to be known as Diamond Creek has been approved by the Town Planning and Zoning Board on December 11, 2002,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The boundary plat known as Diamond Creek is hereby approved subject to staff's recommendations and conditions on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign such plat on behalf of the Town and the Town Clerk is directed to affix to such plat the Town seal.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2003.

**Application #:** P 7-1-02/Diamond Creek  
**Exhibit "A"**

**Revisions:** 12/23/2002  
**Original Report Date:** 12/5/02

---

**TOWN OF DAVIE**  
**Development Services Department**  
**Planning & Zoning Division Staff**  
**Report and Recommendation**

---

**APPLICANT INFORMATION**

**Owner:**

**Name:** David Mann  
**Address:** 680 NE 40 Court  
**City:** Fort Lauderdale, FL 33334  
**Phone:** (954) 776-3800

**Agent/ Council:**

**Name:** Pulice Land Surveyors, Inc.  
**Address:** 5381 Nob Hill Road  
**City:** Sunrise, FL 33351  
**Phone:** (954) 572-1777

---

**BACKGROUND INFORMATION**

**Application History:** No deferrals have been requested.

**Application Request:** Approval of the resolution for the proposed boundary plat to be known as Diamond Creek.

**Affected District:** District 4

**Address/Location:** 15700 SW 28 Avenue/Generally located at SW 28 Street, west of SW 156 Avenue.

**Future Land Use Plan Designation:** Residential (1 DU/AC)

**Existing Use:** Vacant

**Existing Zoning:** A-1, Agricultural District

**Proposed Use:** Six (6) detached single family units.

**Parcel Size:** 8.88 acres (386,899 square feet)

**Surrounding Existing Use:**

**North:** Transportation, I-75

**South:** Vacant Land

**East:** Single Family Residential

**West:** Transportation, I-75

**Surrounding Future Land Use Plan Designation:**

**North:** Transportation

**South:** Residential (1 DU/AC)

**East:** Residential (1 DU/AC)

**West:** Transportation

**Surrounding Zoning:**

**North:** T, Transportation

**South:** A-1, Agricultural District

**East:** R-1, Estate Dwelling District

**West:** T, Transportation

---

**ZONING HISTORY**

**Related Zoning History:** None

**Previous Requests on Same Property:** None

---

**APPLICATION DETAILS**

The Applicant's SUBMISSION indicates the following:

1. The site area consists of approximately 8.88 acres (386,899 square feet) for the proposed development of 6 single family detached units.
2. The plat provides for one (1) 60-foot access opening located at SW 28 Street at the eastern limit of the plat.
3. The plat provides a 90-foot FPL easement along the eastern limit of the plat.

---

**SIGNIFICANT DEVELOPMENT REVIEW AGENCY COMMENTS**

All agency comments have been satisfied.

---

**APPLICABLE CODES AND ORDINANCES**

Section 12-360(B)(1) of the Land Development Code, platting requirements.

---

## **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 2. Planning Area 2 includes the westernmost section of the Town north of Orange Drive and south of SW 14 Street, and bound on the west by Interstate 75 and on the east by SW 100 Avenue. The predominant existing and planned land use is single family residential at a density of one dwelling per acre.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 113.

**Concurrency Considerations:** None.

**Applicable Goals, Objectives & Policies:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

---

### **Staff Analysis/ Findings of Fact**

The proposed plat is generally consistent with the Comprehensive Plan and Land Development Code as it relates to use, location, size.

---

### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions must be met prior to final approval:

4. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
5. Provision of an executed recreational impact fee agreement.
6. A mylar copy of the plat shall be provided to the Planning and Zoning Division upon recordation.

---

### **Planning and Zoning Board Recommendation**

At the December 11, 2002, Planning and Zoning Board meeting, Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve subject to the planning report (Motion carried 4-0, Mr. Bob Waitkus was absent).

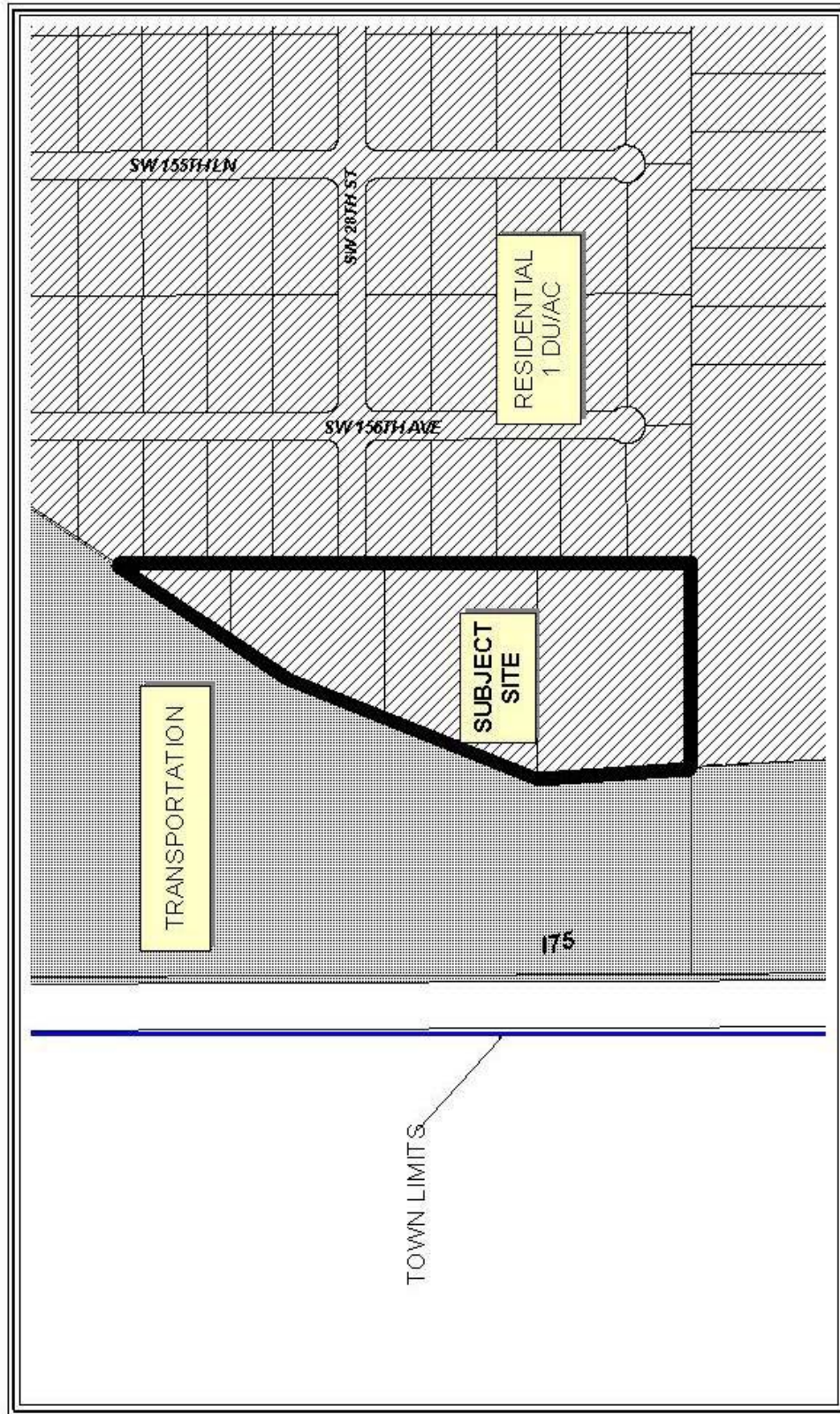
---

### **Exhibits**

1. Plat
2. Future Land Use Map
3. Subject Site, Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



**PLAT**  
**P7-1-02**  
**Future Land Use Map**



N

300 0 300 Feet

Planning & Zoning Division - GIS





Date Flown:  
12/31/00



300 0 300 Feet

Planning & Zoning Division - GIS



**PLAT**  
**P7-1-02**  
**Zoning and Aerial Map**